



MAIL STOP AMENDMENT
Attorney Docket No. 26964U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

SCHMIDT

Conf. No.: 6178

Serial No.: 10/549,631

Examiner: BASQUILL, S.M.

Filed: November 7, 2005

Art Unit: 1612

For: **PROCESS FOR PREPARING CRYSTALLINE CICLESONIDE WITH
DEFINED PARTICLE SIZE**

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

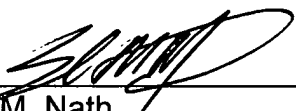
- (1) Transmittal Letter, one (1) page; and
- (2) Response to Restriction/Election Requirement, four (4) pages.

In the event this paper is not timely filed, Applicants petition for an appropriate extension of time. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 14-0112.

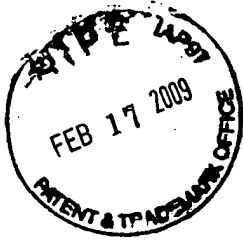
Respectfully submitted,

THE NATH LAW GROUP

Date: February 17, 2009
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RESPONSE TO RESTRICTION REQUIREMENT

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is submitted responsive to the Official Action dated January 16, 2009, making a Response due on or before February 16, 2009. As February 16, 2009 is a federal holiday, pursuant to **MPEP § 710.01(a)**, this reply is timely if it is filed on the next succeeding business day. As such, this Response is timely filed.

REMARKS

Claims 1-27 are pending in the captioned application. The Examiner required restriction under 35 U.S.C. §§ 121 and 372, as follows:

Group I: Claims 1-18, drawn to a process for preparing ciclesonide.

Group II: Claims 19-27, drawn to ciclesonide and compositions containing ciclesonide.